California's "Good Samaritan Law" protects the average person from liability if he or she attempts to give emergency cardiac care. Adopted in 1978, the law protects a non-professional person from civil liability for monetary damages resulting from his or her negligent acts or omissions committed while rendering medical emergency care, as long as the person has acted in good faith, and has satisfactorily completed a basic CPR course that complies with the standards adopted by the American Heart Association or the American Red Cross.

The law also extends immunity from civil damages to state or local agencies or entities or other public or private organizations that sponsor or support CPR training programs for the public. The law does not grant immunity from civil damages if the emergency care rendered constitutes gross negligence.

In 1999, the California Good Samaritan Law was extended to cover the use of automated external defibrillators (AED) in saving the life of persons in cardiac arrest. Persons who render emergency assistance, in good faith and not for compensation, and have completed basic CPR and training on the use of an AED device that comply with standards adopted by the Emergency Medical Services Authority, the American Heart Association, or the American Red Cross, will not be held liable for civil damages resulting from any acts or omissions in rendering emergency care.

This law also provides immunity from civil damages for:
- any person who provides CPR and AED training to the public,
- any physician who is involved with the placement of an AED, if the physician has complied with all of the requirements of the Health and Safety Code that apply to physicians,
- any person or entity responsible for the site where an AED is located, if the person or entity has complied with all of the applicable requirements of the Health and Safety Code.

The protections from civil liability do not apply if the emergency care rendered with the use of any AED amounts to gross negligence or willful or wanton misconduct that results in personal injury or wrongful death.

Following California's example, many other states have passed Good Samaritan laws. Under such statutes, even if the rescue is less than perfect, a person who renders emergency cardiac care cannot be sued for additional injuries that he/she causes unintentionally, if he/she has completed basic CPR and AED device training that meets the standards of the Emergency Medical Services Authority, the American Heart Association, or the American Red Cross.

The Good Samaritan Law

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The protections from civil liability do not apply if the emergency care rendered with the use of any AED amounts to gross negligence or willful or wanton misconduct that results in personal injury or wrongful death.
b. A person who has completed a basic CPR and AED use course that complies with regulations adopted by the Emergency Medical Services (EMS) Authority and the standards of the American Heart Association or the American Red Cross for CPR and AED use, and who, in good faith and not for compensation, renders emergency care or treatment by the use of an AED at the scene of an emergency shall not be liable for any civil damages resulting from any acts or omissions in rendering the emergency care.

c. A person or entity who provides CPR and AED training to a person who renders emergency care pursuant to subdivision (b) shall not be liable for any civil damages resulting from any acts or omissions of the person rendering the emergency care.

d. A physician who is involved with the placement of an AED and any person or entity responsible for the site where an AED is located shall not be liable for any civil damages resulting from any acts or omissions of a person who renders emergency care pursuant to subdivision (b) if that physician, person, or entity has complied with all requirements of Section 1797.196 of the Health and Safety Code that apply to that physician, person, or entity.

e. The protections specified in this section shall not apply in the case of personal injury or wrongful death that results from the gross negligence or willful or wanton misconduct of the person who renders emergency care or treatment by the use of an AED.

f. Nothing in this section shall relieve a manufacturer, designer, developer, distributor, installer, or supplier of an AED or defibrillator of any liability under any applicable statute or rule of law.

Section 1797.196 California Health and Safety Code

(a) For purposes of this section, "AED" or "defibrillator" means an automated or automatic external defibrillator.

(b) In order to ensure public safety, any person who acquires an AED shall do all of the following:
1. Comply with all regulations governing the training, use, and placement of an AED.
2. Notify an agent of the local EMS agency of the existence, location, and type of AED acquired.
3. Ensure all of the following:
   A. That expected AED users complete a training course in cardiopulmonary resuscitation and AED use that complies with regulations adopted by the Emergency Medical Services (EMS) Authority and the standards of the American Heart Association or the American Red Cross.

B. That the defibrillator is maintained and regularly tested according to the operation and maintenance guidelines set forth by the manufacturer, the American Heart Association, and the American Red Cross, and according to any applicable rules and regulations set forth by the governmental authority under the federal Food and C. Drug Administration and any other applicable state and federal authority.

C. That the AED is checked for readiness after each use and at least once every 30 days if the AED has not been used in the preceding 30 days. Records of these periodic checks shall be maintained.

D. That any person who renders emergency care or treatment on a person in cardiac arrest by using an AED activates the emergency medical services system as soon as possible, and reports any use of the AED to the licensed physician and to the local EMS agency.

E. That there is involvement of a licensed physician in developing a program to ensure compliance with regulations and requirements for training, notification, and maintenance.

F. A violation of this provision shall not be subject to penalties pursuant to Section 1798.206.